IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Bail Appl..No. 1866 of 2007(K)

Crime No.98/2007 of Kasaragod Police Station

: PETITIONERS/ACCUSED 1 AND 2

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1. KRISHNA PRASAD,
   S/O.RAVEENDRA BELCHA PRADA,
   BHAGAVATHI NAGAR, KUDLU VILLAGE,
   KASARAGODE.

2. VINOD P.K., S/O.KUNHIRAMAN MASTER,
   BHAGAVATHI NAGAR, KUDLU VILLAGE,
   KASARAGODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE

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1. THE SUB INSPECTOR OF POLICE,
   KASARAGODE POLICE STATION.

2. STATE REP; BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1866 OF 2007

Dated this the 28th day of March, 2007

O R D E R

Petitioners, who are accused Nos.1 and 2 in Crime No.98/2007 of Kasaragod Police Station for offences punishable under sections 143, 147, 148, 341, 324 and 307 read with section 149 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 7.30 p.m. on 27.1.2007 while the defacto complainant was travelling in an autorikshaw he was pulled out from the autorikshaw and beaten with an iron rod by the petitioners herein and others due to political enmity.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and thereafter to have their application for regular bail considered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 2.4.2007 and 4.4.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioners shall, thereafter, be produced on the same day before

the Magistrate having jurisdiction, who shall consider and dispose of the application for regular bail, if any, filed by the petitioners, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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